



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,267	09/29/2003	Frank van Diggelen	GLBL/031	3102

54698 7590 11/02/2005
RAYMOND R. MOSER JR., ESQ.
MOSER IP LAW GROUP
1040 BROAD STREET
2ND FLOOR
SHREWSBURY, NJ 07702

EXAMINER

PHAN, DAO LINDA

ART UNIT	PAPER NUMBER
----------	--------------

3662

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/674,267

Applicant(s)

DIGGELEN, FRANK VAN

Examiner

Dao L. Phan

Art Unit

3662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 3662

1. Claims 1-39 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
2. As to claim 1, line 2; claim 22, line 1; claim 29, lines 5, 8; claim 34, line 1, "long term" is indefinite. It's not clear as how long the "long term" satellite tracking data is.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Twitchell et al (Pat. No. 6,222,483).

Twitchell et al teach a position location system, a receiver, and a method including receiving 42 long term satellite tracking data at a remote receiver from a server 56, computing (72; abstract) acquisition assistance data using the long term satellite tracking data at the remote receiver, and receiving 42 satellite signals at the remote receiver using the acquisition assistance data.

5. Claims 1-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Younis (US 2005/0003833) or Mauro et al (Pat. No. 6,856,282) or Sheynblat (US 2004/0203853).

Younis teaches a position location system, a receiver, and a method including receiving 14 long term satellite tracking data at a remote receiver from a server 26, computing 70, 82, 88 acquisition assistance data using the long term satellite tracking data at the remote receiver, and receiving 14 satellite signals at the remote receiver using the acquisition assistance data.

Mauro et al teach a position location system, a receiver, and a method including receiving 4 long term satellite tracking data at a remote receiver from a server 10, computing (47; abstract) acquisition assistance data using the long term satellite tracking data at the remote receiver, and receiving 4 satellite signals at the remote receiver using the acquisition assistance data.

Sheynblat teaches a position location system, a receiver, and a method including receiving 120a long term satellite tracking data at a remote receiver from a server 120b, computing (140; paragraph 0087) acquisition assistance data using the long term satellite tracking data at the remote receiver, and receiving 120a satellite signals at the remote receiver using the acquisition assistance data.

6. Claims 1-39 are rejected under 35 U.S.C. 102(e) as being anticipated by McBurney et al (EP 1,197,761).

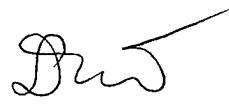
McBurney et al teach a position location system, a receiver, and a method including receiving 102 long term satellite tracking data at a remote receiver from a server 106, computing 114 acquisition assistance data using the long term satellite tracking data at the remote receiver, and receiving 102 a satellite signals at the remote receiver using the acquisition assistance data.

Art Unit: 3662

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dao L. Phan whose telephone number is (571)272-6976. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza can be reached on (571)272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DAO PHAN
PATENT EXAMINER